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**TRANSMITTAL FORM** 

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Amendment Mail Stop

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|----|---|---|
|    | Application Number                      | 10/611,673  |
|    | Filing Date                             | June 30, 2003   |
|    | First Named Inventor                    | Phillip J. Brock  |
|    | Art Unit                                | 2652  |
|    | Examiner Name                           | Tianjie Chen  |
|    | Attorney Docket Number                  | HS 10-2003-002311S1   |

| ENCLOSURES (Check all that apply)  |   |           |                 |  |  |  |
|--|---|-----------|-----------------|--|--|--|
| No fee due   Fee Transmittal   Fee(s) due   Fee Transmittal   Check for \$*   Charge any underpayment credit any overpayment to Deposit Account No. 50-2   Return postcard   Response to Requirement Restriction   After Final   Affidavits/declaration(state)   Extension of Time Request   Express Abandonment Recompliance   Information Disclosure State & Form(s) PTO-1449   Copy(ies) of cited reference(s)   Certified Copy of Priority Document(s)   Response to Missing Parts Incomplete Application   Response to Missing Response | Drawing(s) Licensing-related Papers Petition Petition to Convert to a Provisional Application Power of Attorney, Revocation, Change of Correspondence Address Terminal Disclaimer Request for Refund CD, Number of CD(s):  Remarks: The Commissioner is hereby authorized underpayment of fee(s) to Deposit Accounts  Parts |           |                 |  |  |  |
| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT   |   |           |                 |  |  |  |
| Firm or Individual Name (print/type)   | Harry G. Thibault, Reg. No.26,347 Reed Intellectual Property Law Group  | Telephone | (650) 330-0900  |  |  |  |
| Signature  | Harry G. Thibault   | Date      | January 6, 2005 |  |  |  |
|  |   |           |                 |  |  |  |
|  | CERTIFICATE OF TRANSMISSION/MAILING   | -         |                 |  |  |  |
| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.  |   |           |                 |  |  |  |
| Name (print/type) Jôe Clark / /  |   |           |                 |  |  |  |
| Signature  |   | Date      | January 6, 2005 |  |  |  |
| F:\Document\4800\0002\Restriction Requirement Response Transmittal.doc   |   |           |                 |  |  |  |

Application No. 10/611,673

P Response dated January 6, 2005

Residence to Restriction Requirement dated December 7, 2004



\*\*RADELLA Re Application of:

Phillip J. BROCK et al.

Confirmation No.: 5373

Serial No.: 10/611,673

Group Art Unit: 2652

Filing Date: June 30, 2003

Examiner: Tianjie CHEN

Title: SLIDERS BONDED BY A DEBONDABLE ENCAPSULANT CONTAINING STYRENE AND BUTADIENE POLYMERS

## RESPONSE TO REQUIREMENT FOR RESTRICTION

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

JAN 1 0 2005

This is in response to the Requirement for Restriction mailed December 7, 2004, in which the Examiner required restriction between two groups of claims:

- (I.) Claims 1-20, drawn to a slider; and
- (II.) Claims 21-30, drawn to a method of making a slider.

The Examiner's position is that inventions II and I are related as process of making and product made. He goes on to say that the inventions are distinct if either or both of the following can be shown: (1) that the process as claimed can be used to make other and materially different product or (2) that the product as claimed can be made by another and materially different process (MPEP § 806.05(f). He then concludes that the invention of Group I is distinct from the invention of Group II because the slider disclosed in group I can be made without the particular step of "the solvent represents 30wt% to about 5wt% of the encapsulation fluid as dispensed" as recited in Group II.

Applicant argues the particular claim limitation of Group II as recited above first appears in dependent claim 25. Claim 1 recites "a slider by a debondable solid encapsulent, wherein the encapsulent is comprised of styrene and butadiene polymers,..." and independent method claim 20 recites "(b) dispensing an encapsulation fluid comprised of styrene and butadiene polymers in a manner effective to bind or encapsulate the sliders...". The similarity of these recitations fail

Application No. 10/611,673 Response dated January 6, 2005 Response to Restriction Requirement dated December 7, 2004

to make it clear (1) that the process as claimed can be used to make other and materially different product or (2) that the product can be made by another and materially different process.

Moreover, it would appear that the Examiner would encounter no particular hardship if required to search the Group I and Group II claims together.

Thus, in response, applicant elects Group 1, claims 1-20, with traverse. Applicant expressly reserves its right under 35 USC § 121 to file a divisional application directed to the nonelected subject matter during the pendency of this application.

If the Examiner has any questions concerning this communication, or would like to discuss the application, the art, or other pertinent matters, he is welcome to contact the undersigned attorney at (650) 330-0900.

Respectfully submitted,

By:

Harry G. Thibauk

Registration No. 26,347

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